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4 ~~EX-10.500/AMENDMENT~~

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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) Case No.: CR 99-20143-DLJ
14 Plaintiff,)
15 v.) STIPULATION TO CONTINUE STATUS
16) HEARING AND ORDER
17 MARTIN BARRAGAN,)
18 Defendant.)

19 The United States, through its counsel Jeff Nedrow, and defendant Martin Barragan through his
20 counsel Robert Byers, hereby agree and stipulate to continue the status conference in this case presently
21 scheduled for Thursday, August 21, 2014 at 9:00 a.m. to Thursday, September 18, 2014 at 9:00 a.m.
22 before this Court. This continuance is requested for the following reasons:

23 Counsel for defendant Barragan is unavailable on August 21, 2014 as a result of his involvement
24 in a felony mayhem trial in Alameda County Superior Court. In addition, the government and the
25 defense are currently discussing issues pertinent to a potential disposition in this case. Additional time
26 is needed for the defense to investigate and prepare its position on those issues. For these reasons, the
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UNITED STATES' STIPULATION
TO CONTINUE STATUS CONFERENCE
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1 parties respectfully request that the Court continue the status conference in this case from August 21,
2 2014 to September 18, 2014 at 9:00 a.m.

3 The parties further stipulate that the time period from August 21, 2014 through September 18,
4 2014 should be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(B)(iv) in
5 order to provide for continuity of counsel, in light of defense counsel's unavailability on August 21,
6 2014, as well as in the interest of justice to permit effective defense preparation for considering a
7 possible negotiation and/or trial in this case, pursuant to §3161(h)(7)(A). A proposed order is attached.

8 It is so stipulated.
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10 Respectfully submitted,

11 Dated: August 18, 2014

12 MELINDA HAAG
13 UNITED STATES ATTORNEY

14 _____/s/_____

15 JEFFREY D. NEDROW
16 Assistant United States Attorney

17 _____/s/_____

18 ROBERT BYERS
19 Attorney for Martin Barragan

20 ORDER

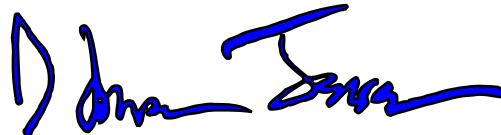
21 Based on the stipulation of the parties and the facts set forth herein, good cause
22 appearing,

23 IT IS HEREBY ORDERED that date of the status conference in this case is continued from
24 August 21, 2014 to September 18, 2014 at 9:00 a.m. before this Court. **IT IS HEREBY ORDERED**
25 that the status conference date scheduled for August 21, 2014 is vacated and that the new status
26 conference is set for September 18, 2014 at 9:00 a.m. The Court further finds that the ends of justice that
27 will be served by granting a continuance outweigh the best interests of the public and the defendant in a
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UNITED STATES' STIPULATION
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1 speedy trial, and that for the reasons stated in the stipulation, i.e. continuity of counsel and effective
2 defense investigation and preparation, an exclusion of time is appropriate. Accordingly, **IT IS**
3 **HEREBY ORDERED** that, for the reasons stated in the current stipulation, the time within which the
4 trial of this matter must be commenced under the Speedy Trial Act is EXCLUDED during the time
5 period from August 21, 2014, through September 18, 2014 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
6 (B)(iv), due to the need to provide defendant with continuity of counsel in light of defense counsel's
7 unavailability as a result of his involvement in a mayhem trial in Alameda Superior Court, as well as to
8 permit effective defense investigation and preparation for a possible negotiation and/or trial in this case,
9 and in the interests of justice.

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12 Dated this FJ day of August, 2014.



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15 D. LOWELL JENSEN
16 United States District Judge
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